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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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7
8 UNITED STATES OF AMERICA,

NO. CR06-26-RSL

9 Plaintiff,

10 v.

11 LIBAN FARAH ALI,

12 Defendant.

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SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on April 1, 2011. The United States was represented by Assistant United States Attorney Seth Wilkinson for Todd Greenberg, and the defendant by Tom Campbell.

The defendant had been charged and convicted of Conspiracy to Distribute Cocaine Base, in violation of 21 U.S.C. §§ 841(a)(1), 841 (b)(1)(B), and 846. On or about February 16, 2007, defendant was sentenced by the Honorable Robert S. Lasnik, to a term of 72 months in custody, to be followed by 5 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in substance abuse and mental health programs, financial disclosure, submit to search, gambling restrictions and

1 treatment if directed; no association with known gang members, no new credit, and if deported,
2 not to reenter the United States without permission.

3 In a Petition for Warrant or Summons, dated March 7, 2011, U.S. Probation Officer
4 Thomas J. Fitzgerald asserted the following violations by defendant of the conditions of his
5 supervised release:

- 6 1. Using cocaine on or before November 30, 2010, in violation of standard
7 condition number seven of his supervised release.
- 8 2. Failing to report for drug and alcohol testing as directed on December 1, 2010,
9 January 10 and 27, 2011, and February 7, 2011, in violation of his special
10 condition of supervised release.
- 11 3. Consuming marijuana on or before January 20, 2011, in violation of standard
12 condition number seven of his supervised release.

13 The defendant was advised of his rights, acknowledged those rights, and admitted to
14 alleged violation 1. Defendant denied alleged violations 2 and 3, and requested that an
15 evidentiary hearing be set on the same day as a disposition hearing before the Honorable
16 Robert S. Lasnik on the alleged violations.

17 I therefore recommend that the Court find the defendant to have violated the terms and
18 conditions of his supervised release as to violation 1 and that the Court conduct an
19 evidentiary/disposition hearing on alleged violations 2 and 3. A disposition hearing on
20 violation 1, and an evidentiary/disposition hearing on alleged violations 2 and 3, has been set
21 for April 26, 2011 at 8:30 a.m. before the Honorable Robert S. Lasnik.

22 Pending a final determination by the Court, the defendant has been released, subject to
23 supervision.

24 DATED this 1st day of April, 2011.

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26 JAMES P. DONOHUE
United States Magistrate Judge

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3 cc: District Judge: Honorable Robert S. Lasnik
4 AUSA: Todd Greenberg
5 Defendant's attorney: Tom Campbell
6 Probation officer: Thomas J. Fitzgerald
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